



Room 301, Hall of Records
2281 Tulare Street
Fresno, California 93721-2198
Telephone: (559) 488-3529
Toll Free: 1-800-742-1011

Board of Supervisors Agenda

Chairman

Juan Arambula

3rd District

Vice Chairman

Susan B. Anderson

2nd District

Phil Larson

1st District

Judith G. Case

4th District

Bob Waterston

5th District

Bart Bohn

County Admin. Officer

Phillip S. Cronin

County Counsel

Bernice E. Seidel

Clerk

ACTION SUMMARY MINUTES

TUESDAY

JANUARY 28, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

1. **MORNING CONSENT AGENDA** – Item Numbers 19 – 41
(Any Board Member may pull any consent item for discussion or separate vote)

CAnLWA

APPROVED AS RECOMMENDED INCLUDING ADDENDUM AND EXCLUDING ITEM NO. 22 WHICH WAS PULLED FOR DISCUSSION

CAnLWA

APPROVED ITEM NO. 22 AMENDEMENTS TWO THROUGH SIX; DIRECTED COUNTY ADMINISTRATIVE OFFICE TO BRING BACK AMENDMENT ONE WITH A BOARD BRIEFING THAT INCLUDES OTHER AREAS OF RESPONSIBILITIES OF THE COUNTY ADMINISTRATIVE OFFICE CLERICAL STAFF; CLERK TO THE BOARD CLERICAL STAFF AND BOARD ASSISTANT'S CLERICAL DUTIES

Administrative office

2. Approve new parking program for Courthouse Garage

CLAnWA

APPROVED AS RECOMMENDED; DIRECTED STAFF TO EXPLORE ADDITIONAL PARKING OPPORTUNITIES FOR STAFF AND MEDIA

3. Adopt resolution urging the California Legislature to reject the Governor's proposed shift of Local Vehicle License Fee revenues and to honor the 1998 commitment to restore the Local Vehicle License Fee

AnLCWA

APPROVED AS RECOMMENDED; DIRECTED STAFF TO NOTIFY ALL 15 CITIES IN THE COUNTY TO CONSIDER ADOPTING SIMILAR RESOLUTIONS

4. Receive report on the Governor's 2003-04 Proposed State Budget
- B.O. **RECEIVED; DIRECTED STAFF TO RETURN TO THE BOARD WITH A SCHEDULE OF WHEN THE WILLIAMSON ACT CONTRACTS ARE UP FOR RENEWAL, AND EXPLORE THE OPTIONS ON NONRENEWAL OR SUSPENSION OF NEW CONTRACTS**
5. Status report on placement of individuals affected by the deletion of nine (9) positions from the District Attorney Child Abduction Unit, as requested by the Board of Supervisors on January 14, 2003
- RECEIVED**
6. Receive and accept the final report and presentation on the Countywide study of fire protection services conducted by Citygate Associates, LLC
- B.O. **RECEIVED AND ACCEPTED; DIRECTED STAFF TO RETURN TO THE BOARD ON FEBRUARY 4, 2003, WITH AN ANALYSIS OF THE RECOMMENDATIONS**
7. Authorize the Purchasing Manager to execute service contracts up to a limit of \$100,000 (continued from January 14, 2003)
- AnLCWA **APPROVED AS RECOMMENDED**
8. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)
- RECEIVED**

9. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

ADULT DETENTION FACILITIES ADVISORY COMMITTEE

REAPPOINTED MICHAEL DEL PUPPO

ASSESSMENT APPEALS BOARD

REAPPOINTED LARRY M. JORGE

CHILDREN AND FAMILIES COMMISSION OF FRESNO COUNTY

REAPPOINTED ROESANNE LASCANO; GARY CAROZZA AND GARY ZOMALT

CITIZENS REVIEW PANEL (LIBRARY SALES TAX)

REAPPOINTED MIKE WYRICK AND PATTY FONTES

COMMISSION ON THE STATUS OF WOMEN

REAPPOINTED MARTHA RODRIGUEZ, Ed.D. AND VIRGINIA GOMEZ-SANCHEZ

COMMUNITY HOSPITALS OF CENTRAL CALIFORNIA BOARD OF DIRECTORS

REAPPOINTED DR. JOAN VORIS

ECONOMIC OPPORTUNITIES COMMISSION

REAPPOINTED GEORGE A FINLEY, SR. AND MARINA MAGDALENO

FIG GARDEN POLICE DEPARTMENT DISTRICT

APPOINTED WILLIAM PIPES TO REPLACE LARRY FORTUNE

FRESNO COUNTY FIRE PROTECTION

REAPPOINTED RUSSELL EFIRD

APPOINTED KEN HALE TO REPLACE ARTHUR PIFFERINI

FOSTER CARE STANDARDS AND OVERSIGHT COMMITTEE

REAPPOINTED DR. CINDY TOEWS

FRESNO ARTS COUNCIL

REAPPOINTED EVA TORRES VASQUES

FRESNO WESTSIDE MOSQUITO ABATEMENT DISTRICT

REAPPOINTED BILL ARVANCE

HISTORICAL LANDMARKS AND RECORDS ADVISORY COMMISSION

REAPPOINTED RANDY McFARLAND

HOUSING AND COMMUNITY DEVELOPMENT CITIZENS ADVISORY

**REAPPOINTED JESUS ANAYA ; ERBIE BINGHAM, JR. ; JACK PEERY ;
FLORENCE VALDEZ ; JAMES PETTY ; LORENZO LANDIN, JR.**

HUMAN RESOURCES ADVISORY BOARD

REAPPOINTED VICKY GRAF, LUCY HORNBAKER AND KIM KRUSER

LOCAL CHILD CARE AND DEVLEOPMENT PLANNING COUNCIL

REAPPOINTED JOAN SCHLESING

MENTAL HEALTH BOARD

**REAPPOINTED LEEANN PARRY, MSW AND J. MARTIN RODRIGUEZ;
AND CURTIS THORNTON**

PLANNING COMMISION

APPOINTED DAVID JESSEN TO REPLACE LAVANICE JOHNSON

REAPPOINTED COURTNEY MOORE

SAN JOAQUIN VALLEY LIBRARY STYSTEM ADVISORY BOARD

REAPPOINTED JOSE LUIS BARRAZA

SOLID WASTE APPEALS BOARD

REAPPOINTED JOHN SHEHADEY

WATER ADVISORY COMMITTEE

**REAPPOINTED EUGENE BRANCH, JIM PROVOST AND GEORGE
McKEAN**

LAnCWA

APPROVED NOMINATIONS FOR APPOINTMENTS/REAPPOINTMENTS

- a. Selection of Board Members to serve on various Boards,
Commissions, Committees

LAnCWA

**APPROVED AS RECOMMENDED; CLARIFICATON WAS MADE TO
APPOINT CAROLINA JIMENEZ-HOGG AND GIGI GIBBS TO I-5
BUSINESS DEVELOPMENT CORRIDOR INC., IN LIEU OF DIRECTOR OF
PLANNING AND RESOURCE MANAGEMENT; AND APPOINTED
SUPERVISOR LARSON TO TRANSPORTATION AUTHORITY IN LIEU OF
CHAIRMAN ARAMBULA**

County Counsel

10. Closed Session –

- a. Conference with legal counsel – Initiation of Litigation
Government Code Section 54956.9(c) – No. of Cases: 1
- b. Conference with legal counsel – Existing Litigation Government
Code Section 54956.9(a) –City of Mendota v Coit Ranch, Inc., et
al., Fresno County Superior Court Case No. 172759
- c. Fordel Inc. v. City of Mendota, Fresno County Superior Court Case
No. 02 CE CG 01630
- d. Pending Litigation Section 54956.9(b) – Eula Ford v. County of
Fresno, et al.
- e. Conference with Labor Negotiator (GC 54957.6): Agency
Negotiator: Ralph Jimenez; Employee Organization: All
Bargaining Units and Management and Unrepresented Employees
– Hours, Wages and Terms and Conditions of Employment

HELD

NOON RECESS

2:00 P.M.

11. Afternoon Consent Agenda – Item Numbers 42 – 48

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

AnCLWA

APPROVED AS RECOMMENDED

Administrative Office

12. Adopt resolution forming Fresno County Underground Utility District No. 60, Peach Avenue – from Huntington Avenue to Turner Avenue

AnCLWA

APPROVED AS RECOMMENDED

13. Consider and take action on appeal regarding Planning Commission's approval of Initial Study 4745, Variance Application 3733, and Director Review and Approval of Application 3401 filed by Mountain View Community Church proposing to allow a church and related facilities, with a maximum building height of 50 feet (35 feet maximum allowed), on a 19.55-acre parcel of land in AL-20 District on north side of E. Bullard Avenue between N. Leonard and N. Lavona Avenues, approximately one mile east of City of Clovis

WCAnLA

APPROVED APPEAL; DENIED VARIANCE APPLICATION NO. 3733 AND DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 3401; DIRECTED STAFF TO PREPARE FORMAL WRITTEN FINDINGS AND RETURN TO THE BOARD ON FEBRUARY 25, 2003, FOR FINAL ACTION

14. Consider and adopt revised County of Fresno Regulations and Procedures for implementation of California Environmental Quality Act including modified EIR Consultant Selection Process

AnLCWA

CONTINUED ITEM NO. 14 TO APRIL 8, 2003

15. Consider and take action on request and plan from Mr. and Mrs. Gene Prader to relocate an existing roadway segment of Nutmeg Lane, crossing Lots 11 and 12 of Block 16 of Shaver Lake Heights Subdivision No. 2, to within Lot K easement as shown on Shaver Lake Heights Subdivision No. 2 map of 1927 **(Noticed for 3:00 p.m.)**

CWLA
An/n

DENIED REQUEST

16. Receive presentation from Council of Fresno County Governments and provide direction to staff on Safe Callbox Program

RECEIVED

17. Receive presentation from Council of Fresno County Governments and provide direction to staff on Abandoned Vehicle Abatement Program

RECEIVED

18. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

HELD; REFERRED TO STAFF FOR REVIEW AND RESPONSE

ADDEMDUM TO AGENDA

Supervisor Anderson

Adopt resolution to present the Temple Beth Israel 2002 Social Action Award to Audrey Riley

Placement on Agenda: **A.M. Consent**

CAnLWA

APPROVED AS RECOMMENDED

ADJOURNED

NEXT MEETINGS:

February 4, 2003 – 9:00 A.M., 2220 Tulare Street, Fresno, Fresno County Plaza Ballroom

February 18, 2003 – 9:00 A.M.

February 25, 2003 – 9:00 A.M.

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.

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Assessor – Recorder

19. Approve and authorize Chairman to execute retroactive amendment to agreement with Agricast for development of a data base and evaluation methodology for estimation of livestock carrying capacity of rangelands (\$84,965)

Sheriff

20. Approve and accept the Off-Highway Vehicle Grants from the State of California Department of Parks and Recreation (\$164,000); adopt resolution increasing FY 2002-03 appropriations and estimated revenues for Sheriff's Grant Org. 31121224 (\$164,000); and adopt resolution increasing FY 2002-03 operating plan for Fleet Service Internal Service Fund 8911 (\$6,500) (4/5 vote)
21. Approve the sole-source purchase of two equipment items for the Sheriff Department's Cal-MMET program; adopt resolution increasing FY 2002-03 appropriations from unexpended prior year appropriations for Sheriff's Grant Org. 3112 (\$405,965); and adopt resolution increasing FY 2002-03 operating plan for Fleet Services Equipment Fund 8911 (\$109,000) (4/5 vote)

Administrative Office

22. **Salary Resolution Amendments** (Copy of amendments attached in Supervisors' Agenda Packets, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)

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CAnLWA

23. Approve amendments to Personnel Rules 4 and 8 to reflect updates to County Medical Standards for Pre-Employment, Periodic Compulsory and DMV Examinations to become effective January 28, 2003

Sitting as Board of Equalization

24. Set February 25, 2003, at 9:00 a.m. as hearing to consider objections to assessments of Garfield Water District

Administrative Office

25. Adopt resolution proclaiming continuation of the local emergency status as a result of the Marks/Nielsen Debris Fire
26. Authorize the submission of an Application for Assistance to the Governor's Office of Emergency Services for the FY 2002 Federal Emergency Management Agency Supplemental Grant for emergency operations planning (\$184,115)
27. Accept an allocation of Federal 2002-03 Preventive Health and Health Services Block Grant (314d) funds from the State Department of Health Services for public health services (\$8,101)
28. Approve Subcontractor's Release for revenue agreement with Battelle Research Center for a Breast and Cervical Cancer Screening Assessment Project
29. Authorize submission of an application to the State Department of Housing and Community Development for Emergency Housing Assistance Program grant funding, and adopt resolution authorizing Director of Adult Services to submit an application to the State Department of Housing and Community Development for Emergency Housing Assistance program grant funding
30. Approve and authorize Chairman to sign the 2002-03 Description of Proposed Expenditure of CHIP funds Certification for submission to the California Department of Health Services
31. Adopt budget resolution increasing the FY 2002-03 appropriations and estimated revenues in Probation Grants Org. 34321850 (\$94,147) to correspond with the award for the Violent Offender Intensive Supervision Endeavor grant (4/5 vote); and approve and adopt Appendix "C" amending the Salary resolution by adding 1 DPO IV, 1 DPO I/II/III and 1 OA III position to Probation's Grants Org. 34321850, while concurrently deleting the same positions from Probation's Grants Org. 34321800
32. Adopt Resolution appointing Lee A. Brown Jr., Risk Manager, the new Representative to CSAC Excess Insurance Authority Board of Directors
33. Approve resolutions rejecting claims for damages and approve resolutions rejecting applications for leave to present late claims for damages

Agreements – Approve and Authorize Chairman to Execute:

34. Authorize the "Agreement to Defend Public Officer or Employee" with the provision of defense counsel to appear and defend with Reservation of Rights: Robert Broome, Correctional Sergeant; as named in U.S. District Court Eastern District of CA Case No.: CV-F-00-6496 REC SMS P Timothy Buford v. County of Fresno, et al.
35. Amendment to agreement with Deaf and Hard of Hearing Service Center, Inc., for sign language interpreting and translation services to include deaf awareness training for Human Services System staff (\$2,400)
36. Retroactive amendment to revenue agreement with the Children and Families Commission of Fresno County and related signatory authorization for an Early Childhood Caries Prevention Project

37. Amendment to agreements with Fresno Center for New Americans, Lao Family Community of Fresno, and Proteus for refugee employment services (\$369,442)
38. Retroactive FY 2002-03 CHIP standard revenue agreement with the California Department of Health Services for reimbursement of uncompensated health care (\$1,413,213)
39. Retroactive agreement with Computers by Design, Inc., to purchase computer software and related maintenance and technical support (\$120,000), and adopt resolution increasing FY 2002-03 San Joaquin Valley Library System Org. 75200130 (\$120,000) to purchase computer software and related maintenance and technical support (4/5 vote)
40. Agreement with ThyssenKrupp Elevator to renovate and modernize the Central Library's passenger elevator (\$90,000)
41. Agreement with Functional Industrial Rehabilitation Medical, Inc., and Valley Industrial and Family Medical Group to perform pre-employment, periodic, compulsory, and Department of Motor Vehicle medical examinations as required by the County (\$200,000)

AFTERNOON CONSENT AGENDA – Item Numbers – 42 – 48

(Any Board Member may pull any consent item for discussion or separate vote)

42. Accept summary reports on all contract change orders approved by Director of Department of Public Works and Planning
43. Adopt plans and specifications for Contract No. 02-01-C Academy Avenue Reconstruction, State Highway 180 to Barstow Alignment, and authorize Director of Public Works and Planning to advertise for bids and set bid opening; make a determination in accordance with Administrative Policy 34 that unusual conditions exist that allow sole-source procurement of a project component; and authorize incorporation of a sole-sourced listed component in project design
44. Adopt proposed Mitigated Negative Declaration prepared for Initial Study Applications No. 4825, restroom replacement at Avocado Lake, and No. 4811, restroom replacements at Laton-Kingston Park, and authorize Department of Public Works and Planning to initiate design for replacement of one restroom at Avocado Lake Park and three restrooms at Laton-Kingston Park
45. Adopt recommended actions for Tract No. 4922, Mallard Meadows, north side of Millerton Road (State Route 168) east of Morgan Canyon Road
46. Adopt Resolution of Intention and set time of 2:00 p.m. on February 25, 2003, as time to conduct a hearing for proposed vacation of pedestrian and utility easements in Mayfair subdivision, Vacation No. V02-07

Agreements – Approve and Authorize Chairman to Execute:

47. Amendment to Multi-Project Agreement with City of Parlier for Fresno Street/Tulare Avenue Alley Reconstruction Project No. 02078 (\$20,000)
48. Amendment to agreement No. A-01-662 with Stearns, Conrad and Schmidt Consulting Engineers, Inc., to provide additional engineering services (extra services) for Landfill Gas Collection and Control System at American Avenue Disposal Site (\$164,500)